THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.NO.14770 OF 2005

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Dt:27-07-2005

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Between:

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B.Harish Reddy

.. Petitioner

and

The Commissioner of Police and others

.. Respondents

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.NO.14770 OF 2005

ORDER:

The relief sought for in this writ petition is to declare the action of respondents 1 and 2 in not registering the complaint presented on 11.06.2005 and 14.06.2005, as illegal and arbitrary and for the consequential direction to respondents 1 and 2 to register the above said complaint against the third respondent and investigate the same.

A counter-affidavit has been filed by the first respondent, wherein it is stated that the complaint of the petitioner was registered as Crime No.256 of 2005 under Sections

451, 380, 427 read with 34 I.P.C., on 10.07.2005.

Smt.C.Vani Reddy, learned counsel for the petitioner vehemently contends that though the complaint of the petitioner was registered as Crime No.256 of 2005 under Sections 451, 380, 427 read with Section 34 I.P.C., it ought to have been registered under Sections 441 and 378 I.P.C.

The relief sought for in this writ petition is to register the complaint of the petitioner and the same has been complied with by respondents 1 and 2. Any grievance of the petitioner in regard to wrong mention of the provisions of the Indian Penal Code is to be agitated elsewhere and it is not a matter, which ought, normally, to be entertained in proceedings under Article 226 of the Constitution of India. Since the relief sought for in this writ petition has been complied with by the respondents, the cause of auction does not survive.

The writ petition is accordingly closed. There shall be no order as to costs.

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27.07.2005

kdl

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